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May 16, 1994

DOCKET FILE COPY ORIGINAL

Mr. William Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Ex Parte Contact

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MAY 16 1994

Dear Mr. Caton:

This is to inform you that on Friday, May 13, a meeting was held with Dr. Robert Pepper, Chief, Office of Plans and Policy, Bernard B. Meng, John Raines, and P.J. Mondin of Mitchell Communications Corporation ("MCC"), as well as Toni Cook Bush and Marc S. Martin of Skadden, Arps, Slate, Meagher & Flom, its attorneys.

During the meeting, we discussed the regulatory difficulties faced by the wireless cable industry generally and by MCC in particular. By addressing licensing issues, we also touched on matters raised in PR Docket No. 92-80 (MMDS licensing). Attached are copies of the materials we submitted to Dr. Pepper at the meeting.

We appreciate the Commission's concern and willingness to hear recommendations from MCC, a company which has endeavored to create competition for cable television.

Sincerely,



Antoinette Cook Bush
Counsel for Mitchell
Communications Corp.

Attachments
cc: Dr. Robert Pepper

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MAY 16 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The MMDS Processing Logjam
Monday, May 16, 1994

Past Commission Remedies to Resolve MMDS-like Circumstances

The MMDS freeze created a cloud of uncertainty over the MMDS industry that inhibited the ability of MMDS licensees to acquire the necessary financing to construct their systems and to gain access to programming. As a result, may bona fide licensees that desired to construct and deliver service to customers were forced to sit on their hands as their licenses expired. The examples of Commission precedent below in the context of other services demonstrate that the Commission has frequently provided remedies to applicants that had their applications dismissed or licensees that had their licenses terminated due to circumstances beyond their control.

I. Extension of Licensees' Construction and Operation Deadline

- a. 220-222 MHz Private Land Mobile Service, Private Radio Bureau Order (March 30, 1994).

In the above-referenced Order, the Private Radio Bureau ("PRB") conditioned all grants of the non-nationwide 220 MHz licenses during the pendency of a related appeal before the D.C. Circuit Court. In addition, the concerned licensees were granted an automatic extended construction and operation deadline of 120 days from the date of the appeal's final disposition by the courts (rather than eight months after initial license grant under the rules). On March 18, 1994, the pending case was dismissed. Subsequently, certain parties requested a 240 day post-litigation deadline because the affected licensees had been highly reluctant to commit to financing and build-out costs while the licenses were shrouded in uncertainty before the courts. In its Order, PRB found that such arguments constituted good cause to extend the construction and operation deadline for the concerned licensees to 240 days beyond the release date of the Order.

The MMDS Processing Logjam
Monday, May 16, 1994

II. Reinstatement of Expired Licenses

a. Part 22 - Public Land Mobile Service

47 C.F.R. § 22.43: This rule allows licensees to 1) file for an extension of time to complete construction (beyond the 12 month deadline from date of initial authorization) and 2) file within 30 days of expiration of its authorization for a reinstatement. The rule is designed to assist a licensee that requires either more time to construct or reinstatement due to circumstances beyond its control. See also 47 C.F.R. § 22.9(3) (noting that applicants for reinstatement should use Form 489).

b. Private Land Mobile Radio Service, Report and Order, PR Docket 90-481 (November 21, 1991)

As a policy, PRB had allowed Private Land Mobile Radio licensees (including Specialized Mobile Radio ("SMR") licenses) that allowed their licenses to expire to reapply for reinstatement within six months of the expiration. In PR Docket No. 90-481, the Commission proposed codifying this policy but with a shorter reinstatement filing period of 90 days following expiration. In the Report and Order, the Commission adopted a 30 day reinstatement period. PRB licensees, however, are not required to file any showing with their application for reinstatement that their license expired due to circumstances beyond its control. See 47 C.F.R. §§ 90.119, 90.127 and 90.149

III. Reinstatement of Dismissed License Applications

a. Interactive Video and Data Service ("IVDS") (Commission Memorandum Opinion and Order) (April 23, 1993) ("IVDS MO&O")

The Commission originally required IVDS applicants to file \$1,400 with each IVDS application. In the IVDS MO&O, the Commission reconsidered and stated that IVDS applicants need only file \$35 with each IVDS application. Therefore, the Commission reinstated previously dismissed IVDS applications that filed more than \$35 but less than \$1,400, and ordered a refund for the remaining applicants that filed more than \$35. The Commission also decided that this action did not require it to re-open the IVDS filing windows.

Active NDS Applications by State and City Served

| File Number Licensee | City Served | State | RECEIVED Date | LAT | LONG | CHAN # | NX App Type | App. Purpose | Action Date/Type | PN DATE | Call Sign | Stat |
|----------------------------------|----------------|-------|------------------|--------|---------|-----------|-------------------|-----------------|---------------------|------------|--------------|------|
| 8550155 GENCON INCORPORATED | 2 CITIES | | 08/02/85 | 080000 | 0000000 | | TC | | 11/06/85 G | | | |
| 8550156 GENCON INCORPORATED | 27 CITIES | | 08/02/85 | 080000 | 0000000 | | TC | | 11/06/85 G | | | |
| 8550156 JAMES F. RILL | 27 CITIES | | 08/02/85 | 080000 | 0000000 | | TC | | 05/15/86 G | 10/04/85 | | |
| 8550157 JAMES F. RILL | 27 CITIES | | 08/02/85 | 080000 | 0000000 | | TC | | 05/15/86 G | 10/04/85 | | |
| 9253168 NDS SYSTEMS/JAMES R. HEN | ANCHORAGE | AK | 02/28/92 | 610625 | 1494416 | 1 | NP | L | | | KFC63 | |
| 9253284 NDS SYSTEMS/JAMES R. HEN | ANCHORAGE | AK | 02/28/92 | 610630 | 1494423 | 1 | HL | | | 07/08/92 | KFC63 | |
| 9252546 CHOICE TV, INC. | ANCHORAGE | AK | 12/31/91 | 610625 | 1494416 | 2A | P | N | | 04/01/92 | NEW | |
| 8850256 ECHOJET CORPORATION | ANCHORAGE | AK | 01/29/90 | 610957 | 1494102 | E | MP | L | | 03/28/90 | UHD477 | MM |
| 9050074 ROBERT MOSTEYLER | ANCHORAGE | AK | 11/27/89 | 610625 | 1494416 | E(14) | P | N | | 12/27/89 | NEW | |
| 8850257 ANCHORAGE BOC-NHDS CO. | ANCHORAGE | AK | 06/23/88 | 610957 | 1494102 | F | P | MP | L | | UHD496 | MM |
| 8950119 NDS SYSTEMS/JAMES R. HEN | ANCHORAGE | AK | 03/10/89 | 610630 | 1494423 | F(14) | P | N | | 03/29/89 | NEW | |
| 9201093 CHOICE TV, INC. | ANCHORAGE | AK | 01/27/92 | 610625 | 1494416 | H(8) | P | N | | 08/04/93 | NEW | |
| 9201094 CHOICE TV, INC. | ANCHORAGE | AK | 01/27/92 | 610625 | 1494416 | H(4) | P | N | | 08/04/93 | NEW | |
| 9201205 CHOICE TV, INC. | ANCHORAGE | AK | 01/29/92 | 610625 | 1494416 | H(2) | P | N | | 08/04/93 | NEW | |
| 9055902 JUMRA MICROAVE INC. | FAIRBANKS | AK | 09/19/91 | 645239 | 1480224 | 1 | R | | | | WPY44 | |
| 9050346 NORTH FLORIDA NHDS PARTH | FAIRBANKS | AK | 02/20/90 | 645248 | 1474029 | 2A | P | N | 11/18/91 G | 05/02/90 | MLMB89 | |
| 9052560 WIRELESS SUPERVISION TV | FAIRBANKS | AK | 04/13/90 | 645248 | 1474029 | E | P | N | 10/09/92 G | 09/27/91 | WHI316 | TS |
| 9050307 L C COMMUNICATIONS | FAIRBANKS | AK | 02/14/90 | 645248 | 1474029 | F(14) | P | N | | 09/27/91 | NEW | LL |
| 9051309 NDS SYSTEMS/JAMES R. HEN | FAIRBANKS | AK | 05/03/90 | 645244 | 1480310 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052045 BOBBY CHUDNURI | FAIRBANKS | AK | 05/18/90 | 645248 | 1480308 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052048 WILLIAM W. LUDEN, III | FAIRBANKS | AK | 05/18/90 | 645248 | 1480308 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052219 ROY S. MENDRICKS | FAIRBANKS | AK | 05/25/90 | 645240 | 1480308 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052267 AKADENEIA | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052268 ALL AMERICAN CABLE CONPA | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052281 DENNIS M. D'AMICO | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052286 ESPER GUANCO | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052288 AGNES C. KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052289 ALEXANDER KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052290 PATRICIA L. KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052291 PAUL B. KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052292 PAUL L. KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052293 RIMA KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052300 TURI MORLINO | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 9052302 MAURICE P. O'CONNELL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | TS |
| 9052336 EUGENE KOZEL | FAIRBANKS | AK | 05/29/90 | 645442 | 1473630 | F | * P | N | | 09/27/91 | NEW | LL |
| 971510 EMERALD ENTERPRISES, INC | FAIRBANKS | AK | 03/01/91 | 645244 | 1480310 | H(2) | | | 08/09/91 G | | WNTJ812 | |
| 9253497 EMERALD ENTERPRISES, INC | FAIRBANKS | AK | 08/10/92 | 645244 | 1480310 | H(14) | NP | E | 06/30/93 G | | WNTJ812 | |
| 9450043 EMERALD ENTERPRISES, INC | FAIRBANKS | AK | 10/21/93 | 645244 | 1480310 | H(14) | L | | 03/09/94 G | 03/09/94 | WNTJ812 | |
| 8300562 MULTICHANNEL DISTRIBUTIO | JUNEAU | AK | 09/09/83 | 581086 | 1342629 | E | P | N | 08/05/91 G | 06/28/90 | WMW525 | TS |
| 8301122 JOEY BARNES | KETCHIKAN | AK | 09/09/83 | 603008 | 1512119 | E | P | N | 04/23/92 G | 02/24/87 | WMW736 | TS |
| 9159215 CACT PARTNERSHIP | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | E | * P | N | | | NEW | |
| 9159216 DAN ANDREWS | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | E | * P | N | | | NEW | |
| 9159217 HAROLD KROGHAN | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | E | * P | N | | | NEW | |
| 9159218 HAZEL BOEL REVOKABLE TRU | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | E | * P | N | | | NEW | |
| 9159219 JDC PARTNERSHIP | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | E | * P | N | | | NEW | |
| 9159220 JJP PARTNERSHIP | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | F | * P | N | | | NEW | |
| 9159221 JOSEPH WOLKIEWICZ | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | F | * P | N | | | NEW | |
| 9159222 R & K ASSOCIATES PRYNSHP | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | F | * P | N | | | NEW | |
| 9159223 ROBIN TANNAN | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | F | * P | N | | | NEW | |
| 9159224 THAF PARTNERSHIP | KETCHIKAN | AK | 05/16/91 | 552141 | 1314739 | F | * P | N | | | NEW | |
| 9252611 LARRY WOLFF | KODIAK | AK | 12/19/91 | 574723 | 1522514 | E | P | N | | | NEW | |
| 9252612 LARRY WOLFF | KODIAK | AK | 12/19/91 | 574723 | 1522514 | F | P | N | | | NEW | |
| 9204296 SATELLITE MICROCABLE PAR | VALDEZ | AK | 04/09/92 | 610640 | 1461539 | E | P | N | | 04/14/93 | NEW | |
| 9204297 SATELLITE MICROCABLE PAR | VALDEZ | AK | 04/09/92 | 610640 | 1461539 | F | P | N | | 04/14/93 | NEW | |
| 9150666 JAMES L. BRUBAKER | ANDALUSIA | AL | 04/03/91 | 312027 | 0862802 | E | P | N | | 12/04/91 | NEW | |
| 9150689 JAMES L. BRUBAKER | ANDALUSIA | AL | 04/03/91 | 312027 | 0862802 | F | P | N | | 12/04/91 | NEW | |

Active MDS Applications by State and City Served

| File Number | Licensee | City Served | State | RECEIVED Date | LAT | LONG | MAN # | MX | App Type | App. Purpose | Action Date/Type | PN DATE | Call Sign | Stat |
|-------------|--------------------------|-------------|-------|---------------|--------|---------|-------|----|----------|--------------|------------------|----------|-----------|------|
| 9053545 | SUPER WIRELESS T.V. | PAMPA | TX | 07/24/90 | 353140 | 1005912 | E | * | P | N | | 11/12/91 | NEW | LL |
| 9053768 | C.M.G. ENTERPRISES | PAMPA | TX | 08/07/90 | 353140 | 1005912 | E | | P | N | | 11/12/91 | NEW | LL |
| 9053818 | PACIFIC WRLSS TV PRTH | PAMPA | TX | 08/08/90 | 353140 | 1005912 | E | | P | N | | 11/12/91 | NEW | LL |
| 9054986 | PATCOM | PAMPA | TX | 09/11/90 | 353140 | 1005912 | E | * | P | N | | 11/12/91 | NEW | TS |
| 9152024 | RICHARD D. MORGESE RIVT | PAMPA | TX | 10/17/90 | 353140 | 1005912 | E | | P | N | | 11/12/91 | NEW | LL |
| 9152350 | DALE & DONNA LAWRENCE | PAMPA | TX | 10/19/90 | 353140 | 1005912 | E | | P | N | | 11/12/91 | NEW | LL |
| 9153428 | NANCY M. NALESZKIEWICZ | PAMPA | TX | 10/24/90 | 353140 | 1005912 | E | | P | N | | 11/12/91 | NEW | LL |
| 9160363 | MERRIFIELD PARTNERSHIP | PAMPA | TX | 10/22/90 | 353140 | 1005912 | E | * | P | N | | 11/12/91 | NEW | LL |
| 9156874 | RON PINGEL | PAMPA | TX | 12/03/90 | 353243 | 1005515 | F | | P | N | | | NEW | |
| 9201306 | RON PINGEL | PAMPA | TX | 02/04/92 | 353243 | 1005515 | H(8) | | P | N | | 08/04/93 | NEW | |
| 9201307 | RON PINGEL | PAMPA | TX | 02/04/92 | 353243 | 1005515 | H(4) | | P | N | | 08/04/93 | NEW | |
| 9201309 | JOHN PAUL GILTER | PAMPA | TX | 02/04/92 | 353243 | 1005515 | H(2) | | P | N | | 08/04/93 | NEW | |
| 9151692 | TEXOMA WIRELESS, INC. | PARIS | TX | 12/28/90 | 333715 | 0953250 | 1 | | P | N | 08/23/91 R | | NEW | |
| 771818 | HEART OF AMERICA I | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(14) | | | N | 09/26/91 G | | WNTM595 | |
| 971818 | HEART OF AMERICA I | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(2) | | | | 05/01/91 G | | NEW | |
| 971843 | BONANZA PARTNERS I | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(2) | | | | 05/01/91 G | | NEW | |
| 971869 | DYNASTY PARTNERS II | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(2) | | | | 05/01/91 G | | NEW | |
| 971894 | N B I TV PARTNERS | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(2) | | | | 05/01/91 G | | NEW | |
| 971919 | S.L. & S.W. WHITMAN TBTE | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(2) | | | | 05/01/91 G | | NEW | |
| 971971 | ALFRED F. O | PECOS | TX | 03/13/91 | 312957 | 1031950 | H(2) | | | | 05/01/91 G | | NEW | |
| 9350447 | HEART OF AMERICA I | PECOS | TX | 03/19/93 | 312957 | 1031950 | H(14) | | MP | E | 06/29/93 D2 | | WNTM595 | |
| 8950283 | MASSCOM | PLAINVIEW | TX | 09/29/89 | 341545 | 1014005 | 1 | | P | N | 06/04/91 G | 11/01/89 | WMH201 | |
| 8950284 | MASSCOM | PLAINVIEW | TX | 09/29/89 | 341545 | 1014005 | 2A | | U P | N | 06/10/91 G | 11/01/89 | WMH488 | |
| 9050701 | JUDITH C. STOVER | PLAINVIEW | TX | 03/19/90 | 341545 | 1014005 | E | * | P | N | | 11/12/91 | NEW | LL |
| 9050705 | WILFORD BROOKS LINDLEY | PLAINVIEW | TX | 03/19/90 | 341545 | 1014005 | E | * | P | N | | 11/12/91 | NEW | LL |
| 9050709 | CASTLE MANAGEMENT PARTNE | PLAINVIEW | TX | 03/19/90 | 341545 | 1014005 | E | * | P | N | | 11/12/91 | NEW | TS |
| 9053737 | BARTLETT FAMILY TRUST | PLAINVIEW | TX | 07/31/90 | 341545 | 1014005 | E | * | P | N | | 11/12/91 | NEW | LL |
| 9053745 | NEIL R. HELM | PLAINVIEW | TX | 07/31/90 | 341545 | 1014005 | E | * | P | N | | 11/12/91 | NEW | LL |
| 9053753 | WESLEY G. BREWER PRTH. | PLAINVIEW | TX | 07/31/90 | 341545 | 1014005 | E | * | P | N | | 11/12/91 | NEW | LL |
| 8950285 | MASSCOM | PLAINVIEW | TX | 09/29/89 | 341545 | 1014005 | F(14) | | U P | N | | 01/17/90 | NEW | |
| 774263 | NUCABLE | PLAINVIEW | TX | 05/28/91 | 341545 | 1014005 | H(4) | | | N | 09/26/91 G | | WNTC482 | |
| 9054122 | TELE-VIEW, INC. | ROMA | TX | 08/16/90 | 262450 | 0992125 | E | | L | | | | WLW940 | |
| 9054340 | VALLEY WIRELESS CABLE | ROMA | TX | 08/20/90 | 262450 | 0990125 | F(14) | | L | | | | WLW941 | |
| 770183 | RURALVISION SOUTH, INC. | ROSSTON | TX | 01/07/91 | 332859 | 0972649 | H(4) | | P | N | 09/26/91 G | | WNT1919 | |
| 9350625 | RURALVISION SOUTH, INC. | ROSSTON | TX | 06/29/93 | 332859 | 0972649 | H(4) | | TC | | 12/10/93 G | | WNT1919 | |
| 9253364 | CHARLES R. JONES | SAN ANGELO | TX | 08/29/92 | 312516 | 1003236 | 1 | | L | | 09/25/92 G | 08/26/92 | WML478 | |
| 8950261 | C & W ENTERPRISES, INC. | SAN ANGELO | TX | 09/14/89 | 312446 | 1003258 | E(14) | | R | N | | 10/11/89 | NEW | LL |
| 9050085 | L C COMMUNICATIONS | SAN ANGELO | TX | 12/11/89 | 314211 | 1001920 | E(14) | | P | N | | 06/11/90 | NEW | TS |
| 8950263 | JOSEPH LOUIS CALIBANI | SAN ANGELO | TX | 09/14/89 | 312516 | 1003236 | F(14) | | P | N | 12/11/90 G | 10/11/89 | WLW827 | |
| 9151750 | JOSEPH LOUIS CALIBANI | SAN ANGELO | TX | 02/19/91 | 312516 | 1003236 | F(14) | | L | | 03/29/91 G | 03/20/91 | WLW827 | |
| 9157941 | JOSEPH LOUIS CALIBANI | SAN ANGELO | TX | 04/01/91 | 312516 | 1003236 | F(14) | | R | | | 04/17/91 | WLW827 | |
| 766941 | JOSEPH LOUIS CALIBANI | SAN ANGELO | TX | 09/14/90 | 312516 | 1003236 | H(4) | | | N | 09/26/91 G | | WNTC590 | |
| 766942 | C & W ENTERPRISES, INC. | SAN ANGELO | TX | 09/26/90 | 312516 | 1003236 | H(8) | | | N | 09/26/91 G | | WNTC543 | |
| 9350635 | CHARLES R JONES | SAN ANGELO | TX | 07/06/93 | 312516 | 1003236 | H(2) | | L | | 03/02/94 G | 03/02/94 | WMH612 | |
| 8950108 | TEXAS WIRED MUSIC, INC. | SAN ANTONIO | TX | 02/23/89 | 292522 | 0982928 | 1 | | ML | | 03/21/89 G | 03/22/89 | WJM80 | |
| 9157857 | TEXAS WIRED MUSIC, INC. | SAN ANTONIO | TX | 03/28/91 | 292522 | 0982928 | 1 | | R | | | 04/17/91 | WJM80 | |
| 8850215 | SUPREME CABLE TEXAS INC. | SAN ANTONIO | TX | 06/16/88 | 292521 | 0982926 | 2 | | ML | U | 08/02/88 G | 06/29/88 | WFY852 | |
| 9050043 | SUPREME CABLE TEXAS INC. | SAN ANTONIO | TX | 11/14/89 | 293313 | 0982115 | 2 | | ML | L | 06/21/90 G | 02/28/90 | WFY852 | |
| 9157915 | SUPREME CABLE TEXAS INC. | SAN ANTONIO | TX | 04/01/91 | 292521 | 0982926 | 2 | | R | | | 04/17/91 | WFY852 | |
| 9159098 | SUPREME CABLE TEXAS INC. | SAN ANTONIO | TX | 03/28/91 | 293313 | 0982115 | 2 | | L | | | 05/15/91 | WFY852 | |
| 9252840 | SUPREME CABLE TEXAS INC. | SAN ANTONIO | TX | 03/04/92 | 293313 | 0982115 | 2 | | AL | | | | WFY852 | |
| 9162653 | RALPH LARSEN & SON, INC. | SAN ANTONIO | TX | 07/17/91 | 293313 | 0982115 | E | | L | | 05/12/93 G | 05/12/93 | WHT693 | |
| 9350465 | RALPH LARSEN & SON, INC. | SAN ANTONIO | TX | 03/12/93 | 293313 | 0982115 | E | | P | T | 07/01/93 G | | WHT693 | |
| 9350628 | RALPH LARSEN & SON, INC. | SAN ANTONIO | TX | 07/06/93 | 293313 | 0982115 | E | | P | PT | | 02/09/94 | WHT693 | GG |
| 9350709 | RALPH LARSEN & SON, INC. | SAN ANTONIO | TX | 07/27/93 | 293313 | 0982115 | E | | AL | | 12/01/93 G | | WHT693 | |
| 8311220 | OMEGA RADIOTELEPHONE | SAN ANTONIO | TX | 09/09/83 | 293313 | 0982115 | F | | P | N | 06/06/90 G | 10/25/85 | WHT694 | TS |

Date of Report: Wed Mar 16 1994

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Report multich1.ace

This report is for certain limited purposes by staff. Information shown above may not be accurate or complete. Some data may have been omitted. Use with extreme caution.

Active MDS Applications by State and City Served

| File Number | Licensee | City Served | State | RECEIVED Date | LAT | LONG | ...AN # | NX App Type | App. Purpose | Action Date/Type | PN DATE | Call Sign | Stat |
|-------------|--------------------------|-------------|-------|---------------|--------|---------|---------|-------------|--------------|------------------|----------|-----------|------|
| 971832 | HEART OF AMERICA I | ANDALUSIA | AL | 03/13/91 | 311810 | 0862910 | N(2) | | | 05/01/91 G | | NEW | |
| 971857 | ROMANZA PARTNERS I | ANDALUSIA | AL | 03/13/91 | 311810 | 0862910 | N(2) | | | 05/01/91 G | | | |
| 971879 | DYNASTY PARTNERS II | ANDALUSIA | AL | 03/13/91 | 311810 | 0862910 | N(2) | | | 05/01/91 G | | NEW | |
| 971904 | N B I TV PARTNERS | ANDALUSIA | AL | 05/15/91 | 311810 | 0862910 | N(2) | | | 05/01/91 G | | NEW | |
| 971928 | S.L. & S.W. WHITMAN 18TE | ANDALUSIA | AL | 03/13/91 | 311810 | 0862910 | N(2) | | | 05/01/91 G | | NEW | |
| 971941 | CLERHSEY VAN RIVER, JR. | ANDALUSIA | AL | 03/13/91 | 311810 | 0862910 | N(2) | | | 05/01/91 G | | NEW | |
| 9358266 | N B I TV PARTNERS | ANDALUSIA | AL | 02/25/93 | 311810 | 0862910 | N(14) | NP | E | 06/22/93 G | | WNTH544 | |
| 9458253 | N B I TV PARTNERS | ANDALUSIA | AL | 12/30/93 | 311810 | 0862910 | N(14) | L | | | | WNTH544 | |
| 9058985 | M&G COMMUNICATIONS | ANNISTON | AL | 04/17/90 | 334851 | 0854856 | 1 | P | N | 11/21/91 G | 07/25/90 | WLW928 | |
| 9031825 | WCTV PARTNERS | ANNISTON | AL | 04/20/90 | 334851 | 0854856 | 2A | P | N | 02/12/92 G | 08/01/90 | WNN972 | |
| 9051000 | M&G COMMUNICATIONS | ANNISTON | AL | 04/17/90 | 334851 | 0854856 | E | P | N | | 08/23/91 | NEW | LL |
| 9055478 | EXPRESS NTRK. TECHNLOS. | ANNISTON | AL | 09/21/90 | 333738 | 0855325 | E | * P | N | | 08/23/91 | NEW | LL |
| 9055479 | RICK E. HARTNESS | ANNISTON | AL | 09/21/90 | 333738 | 0855325 | E | * P | N | | 08/23/91 | NEW | LL |
| 9055488 | RICHARD C. SLOOP | ANNISTON | AL | 09/21/90 | 333738 | 0855325 | E | * P | N | | 08/23/91 | NEW | LL |
| 9055508 | WITA JO MILLER | ANNISTON | AL | 09/24/90 | 333738 | 0855325 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150090 | AMERICAN CABLE | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150095 | DENNIS M. D'AMICO | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150096 | RONALD PEDERSEN | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150098 | AGNES C. KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150099 | ALEXANDER KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150100 | EUGENE KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150101 | INA N. KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150102 | PATRICIA L. KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150103 | PAUL B. KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150104 | PAUL L. KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | TS |
| 9150105 | RINA KOZEL | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150107 | TURI NORLIND | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150109 | ANNISTON, AL E-GRAND | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150113 | NANCY M. WILSON | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9150114 | NICHOLAS R. WILSON | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9152196 | SHIGEO MURAKAMI | ANNISTON | AL | 10/16/90 | 333738 | 0855325 | E | * P | N | | 08/23/91 | NEW | LL |
| 9152207 | SKYVIEW LTD. | ANNISTON | AL | 10/16/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9152217 | GR ALLIANCE ANNISTON (E) | ANNISTON | AL | 10/16/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9152223 | GUS WIRTH, JR. | ANNISTON | AL | 10/16/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9152224 | FRANKLIN BROADCAST PARTN | ANNISTON | AL | 10/16/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9161405 | COLLEEN L. FORTH | ANNISTON | AL | 10/04/90 | 334052 | 0854857 | E | * P | N | | 08/23/91 | NEW | LL |
| 9050979 | WCTV PARTNERS | ANNISTON | AL | 04/20/90 | 334051 | 0854856 | F | * P | N | | 08/23/91 | NEW | LL |
| 9054933 | DONALD J. KUNKLE | ANNISTON | AL | 09/11/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9054934 | PACIFIC WRLSS TV PRTH | ANNISTON | AL | 09/11/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9054935 | PROGRESSIVE COMM., INC. | ANNISTON | AL | 09/11/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9054936 | SUPER WIRELESS T.V. | ANNISTON | AL | 09/11/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9054938 | WIRELESS SUPERVISION TV | ANNISTON | AL | 09/11/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055588 | ANNISTON F NPSG PTRNSHP | ANNISTON | AL | 09/24/90 | 334051 | 0854856 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055589 | KRM WIRELESS, L.P. | ANNISTON | AL | 09/24/90 | 334051 | 0854856 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055597 | DUNWOODY GROUP | ANNISTON | AL | 09/24/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055820 | DONALD F. BOENN | ANNISTON | AL | 09/26/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055824 | JEAN A. FRAGAZI | ANNISTON | AL | 09/26/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055825 | ROBERT A. FRAGAZI | ANNISTON | AL | 09/26/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055828 | HEIL R. HELM | ANNISTON | AL | 09/26/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 9055841 | ANNISTON, AL-F-GRAND | ANNISTON | AL | 09/26/90 | 333738 | 0855325 | F | * P | N | | 08/23/91 | NEW | LL |
| 774570 | WCTV PARTNERS | ANNISTON | AL | 06/10/91 | 334051 | 0854856 | N(4) | | MOD | 07/31/91 G | | | |
| 774655 | M&G COMMUNICATIONS | ANNISTON | AL | 06/11/91 | 334051 | 0854856 | N(8) | | MOD | 07/31/91 G | | | |
| 9251297 | RURALVISION SOUTH, INC. | ARLTON | AL | 10/30/91 | 313227 | 0854311 | 1 | P | N | 03/25/92 G | 02/19/92 | WN1934 | |
| 9200655 | RURALVISION SOUTH, INC. | BANKSTON | AL | 01/13/92 | 334245 | 0874029 | N(2) | P | N | | | NEW | |
| 9200659 | RURALVISION SOUTH, INC. | BANKSTON | AL | 01/13/92 | 334245 | 0874029 | N(4) | P | N | | | NEW | |
| 9201372 | DR FRAZIER B TODD SR PC | BELOIT | AL | 02/07/92 | 322219 | 0870932 | E | P | N | 03/03/93 RD | | NEW | |

The MMDS Processing Logjam
Friday, May 13, 1994

THE MMDS PROCESSING LOGJAM

- Two Licensing Bureaus (CCB and MMB) process MMDS (or "wireless cable") applications.¹
- An MMDS operator requires at least 20 channels to achieve "critical mass," i.e., a system that can be 1) effective competition to cable, 2) beneficial to the public, and 3) economically viable.
 - an MMDS operator must have its channel authorization applications processed by two or more bureaus to acquire 20 channels in one market.
 - MMDS operators cannot construct or operate a viable system until it first acquires 20 channels.
- The two bureaus process MMDS applications at different speeds without inter-bureau coordination.
 - For the MMDS operator, typically some channel authorizations are granted, while others remain unprocessed.
 - Operators must then determine whether to construct a system without knowing if it will obtain the authorizations for at least 20 channels.
 - Many authorizations expire while the operator awaits processing of the remaining necessary applications.
 - Consequently, operators cannot achieve critical mass.
 - When licensees fail to achieve critical mass, they lose their entire investment.
 - Many MMDS licensees are small businesses.

¹ For purposes of this document, the term MMDS includes the associated service ITFS administered by the Mass Media Bureau.

The MMDS Processing Logjam
Friday, May 13, 1994

PROPOSED SOLUTIONS

- Suspend cancellation of MMDS licenses in markets where all channels have not been granted.
- Extend MMDS construction period to one year beyond the date the freeze is lifted.
- Reinstate MMDS licenses that expired during the freeze if those licenses were not mutually exclusive and where there is no MMDS operator in the market.
- Consider waivers from regulatory barriers, such as the freeze, to help foster competition for cable and thereby serve the public interest - a policy the Commission endorsed when it adopted MMDS.
- Replace strict application processing standard with the more reasonable standard currently used for the FM Radio Service and recently adopted for services subject to competitive bidding.
- Relax ban on interference - (50 mile restriction is not realistic particularly in rural markets, for example).
- Permit waivers of MSA spacing requirement where there is no interference and overlap is de minimus.

BENEFITS

- Would enhance competition in the delivery of video services..
- Would facilitate access to programming.
- Would reduce burdens on the FCC and improve service to the public.
- Would create jobs.



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554

DA 88-562

News media information 202/632-5060. Recorded listing of releases and texts 202/632-0002.

COMMON CARRIER BUREAU OPENS FILING PERIOD FOR MULTICHANNEL MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS

Released: April 20, 1988

In accordance with Section 21.901(d)(4) of the Commission's Rules, 47 C.F.R. §21.901(d)(4), NOTICE is hereby given that commencing April 20, 1988 applications for the Multichannel Multipoint Distribution Service (MMDS), E-channel and F-channel group frequencies, may be submitted for filing for any location which is farther than 50 miles from any proposed location of MMDS applications pending on April 19, 1988 or MMDS licensed facility locations. These locations must be farther than 15 miles from the boundary of a statistical area for which there are MMDS applications pending on April 19, 1988. Applications filed must comply with the location restrictions contained in this Notice. We do not anticipate granting any waivers of this location requirement. Applications that fail to comply with this requirement will be dismissed as unacceptable for filing. In addition, applications submitted for filing must comply with the filing requirements of Parts 1 and 21 of the Commission's Rules, and Public Notices, released January 15, 1988, "Clarification of Part 21 Domestic Public Fixed Radio Services Application Forms and Other Procedures" (DA 87-1696, Report No. 1266, released January 15, 1988) and "Clarification of Part 21 Domestic Public Fixed Radio Service Filing Fee Requirements and Application Form Use" (DA 87-1695, Report No. 1265, released January 15, 1988). Applicants are reminded that many of the rules applicable to eligibility criteria and permissible service, filing, and licensing requirements pursuant to Part 21 of the Rules have been revised. See Revision of Part 21 of the Commission's Rules, 2 FCC Rod 5713 (1987) (Part 21 Revision Order) and Revisions to Part 21 of the Commission's Rules regarding the Multipoint Distribution Service, 2 FCC Rod 4251 (1987) (MDS Status Election Order).

Prospective MMDS applicants are advised of the following:

1. Filing Date. MMDS applications will be accepted for filing on April 20, 1988, and thereafter. This filing period will remain open until further notice by the Commission.
2. Service Areas. (A) Statistical Areas. Applicants must specify the proposed service area in Item number 5 (j) of FCC Form 435. In doing so, applicants should consult the list of classifications of the nation's

statistical areas compiled by the Office of Management and Budget, as revised on June 30, 1983. This list refers to certain identified geographic areas as either a Metropolitan Statistical Area (MSA), or Consolidated Metropolitan Statistical Area (CMSA), or New England County Metropolitan Area (NECMA). See Amendment of Parts 2, 21, 74 and 94 of the Commission Rules and Regulations in regard to frequency allocation to the Instructional Television Fixed Service, the Multipoint Distribution Service, and the Private Operational Fixed Microwave Service, 94 FCC 2d 1203, 1263 n.43 (1983) (MMDS Allocation Order). Applications filed must be for a location which is farther than 50 miles from any proposed location of MMDS applications pending on April 19, 1988 or MMDS licensed facility locations. These locations must be farther than 15 miles from the boundary of a statistical area for which there are MMDS applications pending on April 19, 1988. Applications that fail to comply with the location requirements of this Notice will be dismissed as unacceptable for filing. In particular, those applicants proposing to locate transmitters in or within 15 miles of the border of an MSA, CMSA, or NECMA should list in Item number 5 (j) the first named city in the statistical area title as provided in OMB's list. Applications proposing to serve either an MSA, CMSA, or NECMA will be considered together, in accordance with the provisions of Section 21.901(d)(5). Each application will be entitled to comparative consideration or to be included in a lottery in only one such service area. Each applicant will be allowed to file only a single application for either the E-channel or F-channel group frequencies in each statistical area. See Section 21.901(d)(2).

(B) Non-Statistical Areas. In addition to those service areas provided in the OMB listing of MSAs, CMSAs, and NECMAs, applications may be filed for a service area not identified by OMB as either an MSA, CMSA, or NECMA. Applications filed must be for a location which is farther than 50 miles from any proposed location of MMDS applications pending on April 19, 1988 or MMDS licensed facility locations. These locations must be farther than 15 miles from the boundary of a statistical area for which there are MMDS applications pending on April 19, 1988. Applications that fail to comply with the location requirements of this Notice will be dismissed as unacceptable for filing. Applicants must provide in Item number 5(j) of FCC Form 435 the name of the primary service area. Issues of mutual exclusivity for applications not proposing to serve either an MSA, CMSA, or NECMA will be resolved using Part 21 rules other than Section 21.901(d)(5). Each applicant will be allowed to file only a single application for either the E-channel or F-channel group frequencies in each area. See Section 21.901(d)(2).

Failure to designate the service area in Item number 5(j) of FCC Form 435, in accordance with the above-described procedure, may result in the dismissal of the application as unacceptable for filing.

The OMB list of MSAs, CMSAs, and NECMAs is available for review in the Domestic Facilities Division Public Reference Room, Room 6318, 2025 M Street, N.W., Washington, D.C. 20554, or may be purchased from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161. The title of the document is Metropolitan Statistical Areas, Order #PB 832 18891. The telephone number of NTIS is (703) 487-4650. In addition, a list of currently pending MMDS applications is also available for inspection in the Domestic Facilities Division Public Reference Room. The Reference Room is open to the public Monday - Thursday between the hours of 8:30-12:30 and 1:30-3:00. Inspection inquiries may be directed to James Yancey of our staff at (202) 634-1858.

3. Cut-off Date. The last date for filing conflicting (mutually exclusive) applications for comparative consideration or inclusion in a random selection process will be determined by procedures set forth in Section 21.31 of the Rules.

4. Permissible Service Operations. Pursuant to Section 21.900 of the Rules, MMDS applicants may provide service on either a common carrier or a non-common carrier basis. An applicant must specify at Item 2(a) of FCC Form 435 whether it intends to operate as a common carrier ("cc") or as a non-common carrier ("ncc"). Applicants who elect non-common carrier status will be subject to the Commission's Part 21 Rules, and to the general provisions of Title III of the Communications Act of 1934, as amended, applicable to persons applying for microwave radio station authorizations. Applicants who elect common carrier status will be subject to the Commission's Part 21 Rules, to the provisions of Title II of the Communications Act (including the Commission's non-dominant carrier policies), and to the provisions of Title III of the Act applicable to persons applying for microwave radio station authorizations.

5. Acceptable for filing. In order to be acceptable for filing, an application must be complete with respect to questions, informational showings, execution, or other matters of a formal character and substantially comply with the Commission's rules, regulations, specific requests for additional information, or other requirements. Applications that fail to comply with these requirements will be considered defective and may be subject to dismissal, unless accompanied by a request for waiver of (or request as an exception to), in whole or in part, any specific rule, regulation, or requirement with which the application is in conflict. See Section 21.20 of the Rules; see also Section 21.13 of the Rules. Only applications that are in a condition acceptable for filing will be included in a random selection process. See Sections 21.31 and 21.33 of the Rules. Applicants are advised that "lead" applications will not be accepted. A separate FCC Form 435 must be filed for each service area along with the required exhibits. Cross-reference to "lead" applications will not be considered sufficient, and may result in the dismissal of the associated application as unacceptable for filing.

6. Interference Studies. At the time of filing, applicants must submit the following interference studies:

a. A written analysis demonstrating non-interference with all cochannel and adjacent channel Instructional Television Fixed Service (ITFS) licensees, permittees, or applicants with transmitters located within 50 miles of the applicant's transmitter, or a statement from the ITFS licensee, permittee, or applicant that it will accept whatever interference occurs. See Section 21.901(d)(1).

b. A written analysis demonstrating that the facility to be constructed will not cause harmful interference to existing cochannel or adjacent channel ITFS receive sites within 50 miles of the transmitter, or alternatively, must submit a statement from the ITFS licensee that the interference is acceptable. See Section 21.902(i).

c. A written analysis demonstrating non-interference with all cochannel and adjacent channel MMDS licensees, permittees, or applicants with applications pending on April 19, 1988 (including tentative selectees) with transmitters located or proposed to be located within 50 miles of the MMDS applicant's proposed transmitter. See Section 21.902.

7. Site Availability. Section 21.15(a) specifies that applicants proposing a new station location indicate whether the site is owned. If it is not owned, its availability for the proposed microwave radio station shall be demonstrated. Under ordinary circumstances, this requirement will be satisfied if the site is under lease or under written option to buy or lease. 47 C.F.R. §21.15 (a). MMDS applicants should note that, at the time of filing, it shall be sufficient if the application adequately demonstrates reasonable assurance of the availability of the site. Subsequently, applicants chosen as tentative selectees in our random selection process must submit concrete evidence of site availability after their lottery selection. At that time, the submission of a lease or lease option agreement will satisfy that requirement. MMDS applicants not subject to our random selection process must submit a lease or lease option agreement as concrete evidence of site availability upon request. In addition, Section 21.40(b) provides that no extensions of time to construct a facility will be granted based upon lack of site availability.

8. Financial Certification. Section 21.17, as revised, requires that each application for a new license shall contain a certification that the applicant has or will have the financial ability to meet the expected costs of constructing the proposed facilities within the time allowed and the estimated operating expenses for a period of twelve months. Consequently, all applications shall include a financial certification statement (Exhibit T of FCC Form 435) in which the applicant certifies that it has, or has reasonable assurance that it will have, the ability to meet the expected cost of constructing the facilities within the construction period and the estimated operating expenses for twelve months. Applicants are reminded that Section 21.40(b) provides that construction periods may not be extended for delays caused by lack of financing.

9. Preferences. Two types of preferences may be awarded to MMDS applicants: (a) minority preferences, and (b) diversity preferences. Applicants who may be eligible to claim lottery preferences are required to submit a certification of preference for all applications for which a preference is being claimed. The factors used to determine if an applicant qualifies for either type of preference are explained in Section V of FCC Form 346, with one exception. Item 4, Section V, page 2 (FCC Form 346, page 7) does not reflect the fact that the Commission added MDS stations to the definition of the term "medium of mass communication". Thus, in determining eligibility for a diversity preference, applicants should consider their ownership interest in either single channel or multichannel MDS station licenses or construction permits in addition to the media listed on page 2 of Section V. Those media are a daily newspaper; a license or construction permit for: a television station, including low power and television translator station; an AM or FM radio broadcast station; a broadcast satellite transponder; or a cable television system.

For purposes of item 5 on page 2 of Section V (Form FCC 346, page 7) the service area of an MDS station is defined in Section 21.902(d) of the Commission's Rules. See Section 1.824 of the Rules, and Random Selection Lotteries, 93 FCC 2d 952 (1983). Such certifications must accompany the application at the time of filing. An applicant filing multiple MMDS applications may submit a single certification of preference (an original and a duplicate) if it is claiming the same preference for all its applications. If an applicant is claiming different preferences for its applications, it should submit a separate certification of preference (original and duplicate) for each set of applications for which it is claiming the same preferences.

10. Amendments. Applicants are requested not to submit any amendments before their applications have appeared on Public Notice as accepted for filing, unless asked to do so by the Commission's staff. Amendments should include the official FCC file numbers assigned to those applications. File numbers may be obtained from the Public Notices listing applications as accepted for filing. Sections 21.23 and 21.29 provide requirements for filing amendments to applications.

11. Filing Fees. Applicants are required to submit a filing fee of \$135.00 per application (FCC Form 435), pursuant to Section 1.1105. See also "Clarification of Part 21 Domestic Public Fixed Radio Services Filing Fee Requirements and Application Form Use" (DA 87-1695, Report No. 1265, released January 15, 1988).

12. Inspection and Copying. Applications will not be available for inspection and copying before they appear on Public Notice as accepted for filing. Copies of applications must be requested for public record duplication from the applicants or from the Commission's contractor, ITS, Inc. Suite 140, 2100 M Street, NW, Washington, DC 20037, (202) 857-3800.

For further information concerning this Public Notice, contact Theodore Waddell, or Charles Gratch of our staff at (202) 634-1706. Inspection questions may be directed to James Yancey of our staff at (202) 634-1858.